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BRIARCLIFF MANOR, NY 10510

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| EXAMINER |
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GOOD JOHNSON, MOTILEWA

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| ART UNIT | PAPER NUMBER |
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2628

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/29/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/539,360

Applicant(s)

VAN DER STOK ET AL.

Examiner

Motilewa Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/23/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim invention as a whole must accomplish a practical application, that is, it must produce a useful, concrete and tangible result.

Claims that are noted above as being rejected but that are not specifically cited below are rejected based on their dependency on rejected independent claims as incorporating the errors of those claims and not imparting any features leading to statutory subject matter.

Regarding claims 1 and 10, the claim recites "a method for receiving multiple media data streams to be displayed in separate windows of a multi-window display of a destination device, comprising the steps of: . . .", and "a method for transmitting a media data stream from a source device to at least one destination device, comprising the steps of . . ." Regarding claims 20 and 23, they disclose an apparatus for receiving media data and an apparatus for transmitting a media data stream.

However, the steps of the method do not recite any post-computer process activity, i.e., no independent physical acts and no manipulation of data representing physical objects or activities.

Therefore, in order to determine if the process is statutory, one must determine what the computer does to achieve a practical application. A process that merely

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manipulates an abstract idea is non-statutory despite the fact that it might inherently have some usefulness. For such subject matter to be statutory, the claimed process must be limited to a practical application of the abstract idea. Examiner finds no limitation to a practical application for the claimed method. The preamble of the claim is given little weight in establishing a statutory claim when there are no elements in the claim limitations into which the preamble could give substantial meaning of a practical limitation. Examiner suggests displaying of the multiple media data streams in separate windows of a multi-window display.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Butcher, U.S. Patent Publication Number 2004/0017382.

Regarding claim 1, Butcher discloses a method for receiving multiple media data streams to be displayed in separate windows of a multi-window display of a destination device (paragraph 0005), comprising the steps of: providing clipping information of a

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covered area of a first window of the multi-window display, said first window being at least partly covered by at least a second window of the media multi-window (paragraph 0072); transmitting the clipping information to a source device providing a first media data stream rendered in the first window (paragraph 0013 and 0082); and receiving a clipped media data stream comprising media data for an uncovered area of the first window (paragraph 0086)

Regarding claim 2, Butcher discloses wherein the clipping information comprises at least display coordinates of the second window (paragraph 0021)

Regarding claim 3, wherein the step of providing further comprises the step of: extracting display coordinates of at least the second window of the multi-window display (paragraph 0093)

Regarding claim 4, Butcher discloses further comprising the steps of: re-calculating the clipping information in response to a movement or a change of size of the first or the at least second window (paragraph 0087); and transmitting the re-calculated clipping information (paragraph 0088)

Regarding claim 5, Butcher discloses wherein the received clipped media data stream comprises a full media data base layer, and a clipped media data enhancement

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layer, said media data enhancement layer only comprises media data blocks needed for processing the uncovered area of the first window (figures 8 and 10)

Regarding claim 6, Butcher discloses further comprising the steps of: decoding the received clipped media data stream; and processing the clipped media data stream based on the clipping information and stored processing information (paragraph 0056)

Regarding claim 7, Butcher discloses wherein the received clipped media data stream comprises a clipped preprocessed multi-window image (paragraph 0059)

Regarding claim 8, Butcher discloses wherein the step of providing clipping information comprises the further step of: setting at least one image processor to wait for an acknowledgement that the clipping information has been applied by the source device; and the step of receiving a clipped media data stream comprises the further step of: receiving an acknowledgement that the clipping information has been applied (paragraph 0027)

Regarding claim 9, Butcher discloses wherein the media data stream comprises audio/video data blocks (paragraphs 0028 and 0055)

Regarding claim 10, Butcher discloses a method for transmitting a media data stream from a source device to at least one destination device (paragraph 0005),

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comprising the steps of: receiving clipping information from at least one destination device (0021); calculating a window area for which media data is not needed by the at least one destination device based on the received clipping (paragraph 0023-0027); clipping the media data stream according to the calculated area to provide a clipped media data stream (paragraph 0030); and transmitting the clipped media data stream to the at least one destination device (paragraph 0018)

Regarding claim 11, Butcher discloses wherein the clipping information comprises display coordinates of at least one window covering another window in a multi-window display (paragraph 0072)

Regarding claim 12, Butcher discloses wherein the step of calculating further comprises the step of: calculating a window area for which media data is not needed by anyone of several destination devices (paragraph 0073)

Regarding claim 13, Butcher discloses where clipping information received from multiple destination devices are handled separately (paragraph 0059-0060)

Regarding claim 14, Butcher discloses wherein the step of clipping further comprises the step of: removing from the media data stream enhancement media data blocks of an enhancement layer relating to the calculated window area (paragraph 0057)

Regarding claim 16, Butcher discloses wherein the step of clipping further comprises the step of: joining a first clipped media stream and at least a second media data stream to a multi-window image (paragraph 0067)

Regarding claim 17, Butcher discloses wherein the step of transmitting further comprises the steps of: preparing an acknowledgement that the received clipping information is applied; and transmitting the acknowledgement to the destination device concerned (paragraph 0068-0069)

Regarding claim 18, Butcher discloses wherein the acknowledgement is the received clipping information (paragraph 0068-0069)

Regarding claim 19, Butcher discloses wherein the media data stream comprises audio/video data blocks (paragraphs 0028 and 0055)

Regarding claims 20-22, they are rejected based upon similar rational as above claims 10-14 and 16. Butcher further discloses apparatus for transmitting a media data stream to at least one destination (figures 1-3).

Regarding claims 23-24, they are rejected based upon similar rational as above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa Good-Johnson whose telephone number is (571) 272-7658. The examiner can normally be reached on Monday, Tuesday and Wednesday 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Motilewa Good-Johnson
Examiner
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mgj